

REMARKS

Amendments to the claims

Claims 1-18 are pending in the present application. With this response, Applicant amends claims 1, 8, 13, and 16 and cancels claims 2-3, 9-10, 14-15, and 17-18. Support for the amendments to the claims can be found in claims themselves and in the application as originally filed. All amendments are made herein without prejudice.

Interview with Examiner

On September 12, 2011, the undersigned and the Examiner held a telephone interview. Mark Yeh of Ladas & Parry, LLP was also on the telephone call. The subject of the interview was regarding the subject matters of claims 2 and 3 and the cited prior art. The Examiner agreed that claim 3 (et al.) was novel and unobvious over the presently cited art. It was agreed that an Amendment After Final with amended claims would be accepted for further consideration by the Examiner.

Rejections

In the Final Office Action, the Examiner rejects claims 1-18 as obvious over Uchihachi (US 6,535,639) in view of Crinon (US 6,331,859). In detail, the Examiner stated that Crinon teaches that the characteristic support vector algorithm is the fuzzy OC-SVM algorithm. However, the Applicants disagree and point out that Crinon discloses a threshold value determination (see e.g. col. 10, lines 50-65, of Crinon). Therefore, the claims as amended are patentable over Uchihachi in view of Crinon.

Furthermore, it is unclear if the cited prior art teaches or suggest the feature “*repeatedly* performing a scalability process” (emphasis added). The cited prior art appears to only perform scalability once per process. This is in line with the concept of that the cited prior art teaches the old method of threshold evaluation, whereas the claimed invention uses a fuzzy logic determination process that requires repeated scalability steps.

Additionally, the Examiner states that Uchihachi discloses “a desired summarization time from a user”; however, Uchihachi simply states “Various parameters, such as *size* and the *number of frames* in the summary can be specified in the request.” (col. 10, lines 7-9; emphasis added) There is no teaching of the user inputting a summarization *time*. Given that the prominent embodiment of Uchihachi is concerned with the problem of creating still images for a print media, it is unlikely that a “summarization time” would be considered as a parameter to use. Therefore, Uchihachi does not teach or suggest “a desired summarization time from a user” as recited in the claims.

Regarding claim 2, it is also unclear if Crinon discloses OC-SVM. Further rejections against claim 2 et al. would need to specifically point out where OC-SVM is disclosed in the cited art.

The Applicants respectfully request reconsideration and allowance of the claims. Barring allowance, the Applicants request a non-Final office action that specifically addresses the issues presented above.

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The Commissioner is authorized to charge any additional fees which may be required or credit overpayment to deposit account no. 12-0415. In particular, if this response is not timely filed, then the Commissioner is authorized to treat this response as including a petition to extend the time period pursuant to 37 CFR 1.136(a) requesting an extension of time of the number of months necessary to make this response timely filed and the petition fee due in connection therewith may be charged to deposit account no. 12-0415.

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Respectfully submitted,

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October 24, 2011
(Date of Transmission)

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